

REMARKS

Claims 2-21, 38-44, and 58-84 are pending, with claims 60, 77, 81, and 84 being independent. Claims 1, 22-37, and 45-57 have been cancelled. Claims 2-12, 15-16, 18-21, 38-43, and 58-59 have been amended. Claims 60-84 have been added. No new matter has been added.

Claim Rejections Under 35 U.S.C. § 101

Claims 57 has been rejected under 35 U.S.C. § 101 for allegedly being directed to non-statutory subject matter. Claim 57 has been cancelled, which obviates this rejection. New independent claim 81 recites a tangible computer-readable medium having embodied thereon a computer program. Accordingly, applicants respectfully submit that new independent claim 83 is in condition for allowance.

Claim Rejections—Double Patenting

Claims 1, 7, 12, 14, 16-18, 22, 30, 38, and 55-57 have been rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 2, and 5 of U.S. Patent No. 6,750,881. Without conceding obviousness, applicants respectfully request that this rejection be held in abeyance until the claims of this application are otherwise held to be allowable.

New Claims

New independent claim 60 recites, among other features, comparing stored trait information for a user to stored trait information for each of the other users in a group of other

users, based on the comparison, identifying a subgroup of the group of the other users sharing at least one trait with the user, and causing presentation, to the user, of an indicator that identifies at least one user as a member of the subgroup of the other users. Applicants respectfully submit that new independent claim 60 is allowable over Boyer (U.S. Patent No. 7,299,257) at least because Boyer does not describe or suggest these features of claim 60.

Simply, Boyer does not describe or suggest comparing trait information and identifying a subgroup of a group based on the comparison. Rather, Boyer discloses a dynamic visual representation of members of a group being invited to communicate together. *See* Boyer at Abstract. Contact information (People 428) and presence information (Presence 429) for members of the group are presented as part of a list (419). *See* Boyer at FIG. 8. The presence information includes a set of descriptions about which devices, such as a telephone or personal computer, a member of the group has made use of. *See* Boyer at col. 11, lines 21-24. Each row of the list corresponds to contact information and presence information for exactly one member of the group. *See* Boyer at col. 15, lines 41-47.

However, Boyer does not describe or suggest comparing the contact information or the presence information of one of the members of the group to the contact information or presence information of another of the members of the group, much less identifying a subgroup based on such a comparison. In fact, Boyer simply does not describe or suggest any comparing of contact information or presence information between members of a group. As a result, Boyer does not describe or suggest “comparing stored trait information [and,] based on the comparison, identifying a subgroup of the group,” as recited in new independent claim 60.

Accordingly, applicants respectfully submit that new independent claim 60 and its dependent claims are in condition for allowance.

New independent claims 77 and 81 recite subject matter that is similar to that discussed above in connection with new independent claim 60, and do so in the context of a system (claim 77) and a tangible computer readable medium (claim 81). Accordingly, at least for the reasons discussed above in connection with new independent claim 60, applicants submit that new independent claims 77 and 81 and their respective dependent claims are in condition for allowance.

New independent claim 84 recites, among other features, determining that the stored trait for the second user matches a reference trait and, based on the determination that the stored trait for the second user matches the reference trait and the determination that the online context of the second user matches the online context of the first user, causing presentation, to the first user, of an identifier that identifies the second user having the same online context of the first user.

Boyer does not describe or suggest determining that the stored trait for the second user matches a reference trait, much less causing presentation of an identifier that identifies the second user having the same online context of the first user based, in part, on such a determination. In Boyer, neither is the contact information determined to match reference contact information nor is the presence information determined to match reference presence information. As a result, Boyer does not describe or suggest “determining that the stored trait for the second user matches a reference trait [and,] based on the determination that the stored trait for the second user matches the reference trait . . . causing presentation, to the first user, of an

identifier that identifies the second user having the same online context of the first user,” as recited in new independent claim 84.

Accordingly, applicants respectfully submit that new independent claim 84 is in condition for allowance.

Claim Rejections—35 U.S.C. § 102

Claims 1, 2, 4-7, 12-25, 28-30, 32, 34, 35, 37-44, 49-52, and 55-57 have been rejected under 35 U.S.C. § 102 as being anticipated by Boyer. Claims 1, 22-25, 28-30, 32, 34, 35, 37, 49-52, and 55-57 have been cancelled. Claims 2, 4-7, 12-21, and 38-44 have been amended to depend from new independent claim 60. Accordingly, for the reasons discussed above with respect to new independent claim 60, applicants respectfully request reconsideration and withdrawal of this rejection of claims 2, 4-7, 12-21, and 38-44.

Claim Rejections—35 U.S.C. § 103

Claims 53 and 54

Claims 53 and 54 have been rejected under 35 U.S.C. § 103 as being unpatentable over Boyer. Claims 53 and 54 have been cancelled, which obviates this rejection.

Claims 8-11, 26, 27, 31, 33, 36, 46, and 47

Claims 8-11, 26, 27, 31, 33, 36, 46, and 47 have been rejected under 35 U.S.C. § 103 as being unpatentable over Boyer in view of Porter (U.S. Patent No. 6,434,599). Claims 26, 27, 31, 33, 36, 46, and 47 have been cancelled. Claims 8-11 have been amended to depend from new independent claim 60. Porter, which is cited as allegedly showing trait information comprising

an age, a demographic identifier, an expertise rating, and an interest, does not cure the failure of Boyer to describe or suggest the subject matter of new independent claim 60 from which claims 8-11 depend. Accordingly, applicants respectfully request reconsideration and withdrawal of the rejection of claims 8-11.

Conclusion

Applicant submits that all claims are in condition for allowance.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

The fee in the amount of \$210 in payment for the Excess Claims fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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